

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARIO MERINO,
Petitioner,
v.

MICHAEL MARTEL, Warden, Mule
Creek State Prison,
Respondent.

)
)
) No. C 08-3231 CW
) ORDER TO SHOW
) CAUSE
)
)
)
)
)
)

Petitioner, an inmate incarcerated at Mule Creek State Prison, has filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Good cause appearing, the Court hereby issues the following orders:

Respondent shall file with this Court and serve upon Petitioner and Petitioner's counsel, within thirty (30) days of the issuance of this Order, an answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, 28 U.S.C. foll. § 2254, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the answer a copy of all portions of the state trial record that have been previously transcribed and that are relevant to a determination of the issues presented by the petition.

If Petitioner wishes to respond to the answer, he shall do so by filing a traverse with the Court and serving

1 it upon Respondent within thirty (30) days of his receipt
2 of the answer.

3
4 IT IS SO ORDERED.

5
6
7 DATED: _7/15/08_____

Claudia Wilken

CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARIO MERINO,

Plaintiff,

v.

WARDEN, MULE CREEK STATE
PRISON et al,

Defendant.

Case Number: CV08-03231 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 15, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kent A. Russell
Russell and Russell
2299 Sutter Street
San Francisco, CA 94115

Attorney General
State of California
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102

Michael Martel, Warden
Mule Creek State Prison
4001 Highway 104
P.O. Box 409099
Ione, CA 95640

Dated: July 15, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk